



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.10471 of 2018

WEB COPY

M.Chandrasekaran

... Petitioner

vs.

1. The Thasildhar
Madurai West Taluk
Madurai

2. The Sub Inspector of Survey
Madurai West Taluk
Madurai

3. The State rep. by
Inspector of Police
Karimedu Police Station
Madurai

4. Velmurugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to consider and pass appropriate orders on the representation dated 10.10.2017 followed by representation dated 30.11.2017 of the petitioner for surveying and demarcating the land property in plot No.3 situated in Town Survey No.5, Ward No.27, Melaponnagaram, 7th Street, T.S.No.1024 with Door No.7 to an extent of 554 sq feet with the help of third respondent.

For Petitioner : Mr.N.R.Balaji

For Respondents: Mr.V.Anand

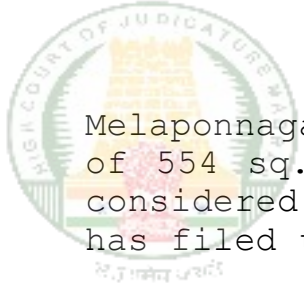
Government Advocate for R1 to R3

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 3. Notice to the fourth respondent is dispensed with in view of nature of the order to be passed by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 10.10.2017 followed by the representation, dated 30.11.2017 seeking to survey and demarcate the land bearing Plot No.3, comprised in Town Survey No.5, Ward No.27,



Melaponnagaram, 7th Street, T.S.No.1024 with Door No.7 to an extent of 554 sq.ft., with the help of third respondent, has not been considered by the official respondents till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's representation dated 10.10.2017 followed by the representation, dated 30.11.2017 on its own merits and take further action in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the fourth respondent and any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To:

1. The Thasildhar,
Madurai West Taluk,
Madurai.
2. The Sub Inspector of Survey,
Madurai West Taluk,
Madurai.
3. The Inspector of Police,
Karimedu Police Station,
Madurai.

+1cc to Mr.N.R.BALAJI, Advocate, SR.No.66594

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KRK